UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

Case Number: 13-00575-dd

CONSENT ORDER CONFIRMING NO AUTOMATIC STAY IN EFFECT AS TO DESCRIBED PROPERTY OF TD BANK, N.A.

The relief set forth on the following pages, for a total of 6 pages including this page, is hereby **ORDERED**.

FILED BY THE COURT
02/28/2013

Entered: 03/01/2013

David R. Duncan
US Bankruptcy Judge
District of South Carolina

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In Re:	CASE NO. 13-00575-dd
Clente Flemming d/b/a The Flemming Group, Inc. d/b/a FFG& K Partnership d/b/a C&A Investment d/b/a Hastings Point Development, LLC d/b/a Upfed LLC d/b/a 1939 Hoses Shore Lodge LLC d/b/a FGM Of Richland County LLC	CHAPTER 7
Debtor.	

CONSENT ORDER CONFIRMING NO AUTOMATIC STAY IN EFFECT AS TO DESCRIBED PROPERTY OF TD BANK, N.A.

It appearing from the signatures below that the parties agree that TD Bank, N.A. ("TD Bank") was the successful purchaser of the below described property ("Property") at a final foreclosure sale held on January 2, 2013 by the Hon. Joseph M. Strickland, as Master in Equity for Richland County, South Carolina in Civil Action Number 2011-CP-40-4098; and

It further appearing that the Debtor filed his petition for relief under Chapter 7 of the United States Bankruptcy Code on January 30, 2013, after TD Bank purchased the Property; and

It further appearing that the Debtor and the Chapter 7 Trustee consent that the Property is not property of this bankruptcy estate and that no automatic stay as provided by 11 U.S.C. § 362 is in effect as to the Property.

NOW, THEREFORE, IT IS ORDERED that no automatic stay as provided by 11 U.S.C. § 362 is in effect as to the Property, and

IT IS FURTHER ORDERED that the Hon. Joseph M. Strickland, as Master in Equity for Richland County, South Carolina is authorized to issue the deed to the Property to TD Bank and do all other acts necessary regarding the Property and/or its conveyance to TD Bank.

PROPERTY DESCRIPTION:

Parcel I

All that certain piece, parcel or tract of land, with the improvements thereon, situate in the City of Columbia, County of Richland, State of South Carolina, containing 0.13 acre, more or less, and being more fully shown and described on a plat prepared for Clente Flemming by Cox and Dinkins, Inc., dated October 5, 2005, and recorded in the ROD Office for Richland County in Plat Book 1108 at Page 321.
TMS#: 11510-16-10 – **2201 Two Notch Road**

Parcel II

All that certain piece, parcel or tract of land, with the improvements thereon, situate, lying and being in Richland County, South Carolina, containing 0.14 acre, more or less, and being more fully shown and described on a plat prepared for Clente Flemming by Cox and Dinkins, Inc., dated October 5, 2005, and recorded in the Rod Office for Richland County in Plat Book 1108 at Page 332, said property having the following courses, metes, measurements, and boundaries as shown on the aforesaid plat.
TMS#: 11510-16-09 – **2203 Two Notch Road**

Parcel III

All that certain piece, parcel or lot of land with the improvements thereon, situate, lying and being in "Kendalltown," a suburb of the City of Columbia, in the community of Edgewood, in the County of Richland, State of South Carolina, being shown and delineated as Lot 6 on plat of land surveyed and subdivided for Dr. F.D. Kendall by D.E. Willer, CE and Surveyor and recorded in the Office of the ROD for Richland County in Plat Book "A" at Page 5; said lot having such metes and bounds as shown on said plat, which is being incorporated herein by reference as part of this description.
TMS#: 11510-16-04 – **2216 Harper Street**

Parcel IV

All that certain piece, parcel or lot of land with the improvements thereon, situate, lying and being in "Kendalltown," a suburb of the City of Columbia, in the community of Edgewood, in the County of Richland, State of South Carolina , being shown and delineated as Lot 5 on a plat of land surveyed and subdivided for Dr. F.D. Kendall by D.E. Willer, CE and Surveyor and recorded in the Office of the ROD for Richland County in Plat Book "A" at Page 5; said lot having such metes and bounds a shown on said plat, which is being incorporated herein by reference as part of this description.
TMS#: 11510-16-18 **- 2223 Two Notch Road**

Parcel V

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, designated as 2205 Two Notch Road, said lot being shown as the southern one-half of Lot 15 on a plat made by D. B. Miller, C. E., for F. D. Kendall, dated November, 1890, copy of said plat being recorded in the Office of the Clerk of Court for Richland County in Plat Book "A", page 5, said lot being bounded as follows: On the North by the northern one-half of Lot 15, measuring thereon 168 feet, more or less; on the East by Two Notch Road, measuring thereon 59 feet, more or less, on the South by Lot 21, measuring thereon 168 feet, more or less, on the West by Lot 14, measuring thereon 59 feet, more or less.

This being the same property conveyed from R & J Partnership by deed to FGM of Richland County, LLC dated March 31, 2005, and recorded in the Office of the ROD for Richland County on March 31, 2005, in Book R1038 at Page 930.

TMS# 11510-16-08 - **2205 Two Notch Road**

Parcel VI

All that certain piece, parcel or lot of land, together with all improvements thereon, lying, being and situate in the City of Columbia, County of Richland, and State of South Carolina, known as 2207 Two Notch Road, being more particularly shown and delineated as the northern portion of Lot 15, on a plat prepared by D. B. Miller, C. E., recorded in the Office of the RMC for Richland County in Plat Book "A", Page 5 (Page 17 of old Plat Book "A"), and having the following metes and bounds: On the North by Lot 9 whereon it measures One Hundred Eighty (180') feet; on the East by the right-of-way of Two Notch Road whereon it measures Fifty-Nine (59') feet; on the South by lands now or formerly of Shumpert whereon it measures One Hundred Seventy-Four (174') feet, and on the West by lands now or formerly of Thomas whereon it measures Fifty-Nine (59') feet; be all measurements a little more or less, reference being had to said plat for a more complete description.

This being the same property conveyed from R & J Partnership by deed to FGM of Richland County, LLC dated March 31, 2005, and recorded in the Office of the ROD for Richland County on March 31, 2005, in Book R1038 at Page 930.

TMS# 11510-16-08 - **2207 Two Notch Road**

Parcel VII

All that piece or parcel of land, with the improvements thereon designated as number 2209 Two Notch Road, in the northeast section of the City of Columbia, Richland County, South Carolina, known a the southern portion of Lot Nine (9) on a plat embracing same, made by D. B. Miller, recorded in the Office of the Clerk of Court for Richland County, in Plat Book "A", at page 17; and being bounded on the NORTH by the northern portion of said Lot Nine, measuring thereon one hundred eighty feet four inches (180'4"); on the EAST by the Two Notch Road, measuring thereon sixty feet (60'); on the SOUTH by Lot Number Fifteen (15) on said plat, measuring thereon one hundred eighty feet four inches (180'4"), more or less; and on the WEST by Lot Number Eight (8) on said plat, measuring thereon fifty-nine feet (59'), more or less.

This being the same property conveyed from R & J Partnership by deed to FGM of Richland County, LLC dated March 31, 2005, and recorded in the Office of the ROD for Richland County on March 31, 2005, in Book R1038 at Page 930.
TMS# 11510-16-08- **2209 Two Notch Road**

AND IT IS SO ORDERED.

I SO CONSENT:

By: */s/ B. Keith Poston*

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I SO CONSENT:

By: */s/ J. Carolyn Stringer*

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I SO CONSENT:

By: */s/ W. Ryan Hovis*

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Chapter 7 Trustee